

THE HON'BLE SRI JUSTICE S.V.BHATT

C.R.P.No.5258 of 2011

ORDER:

Heard Ms.M.Renuka for revision petitioner and Ms.J.Sunitha for respondents.

The revision is at the instance of the plaintiff and is directed against the order dated 29.01.2010 in I.A.No.8 of 2010.

The revision petitioner filed the said application for sending the suit documents dated 20.11.2002 and 04.02.2003 for collection of deficit stamp duty and penalty. The only objection raised by the sole defendant is that application is filed at the advanced stage of trial.

Be that as it may, the trial Court accepted the plea raised by the revision petitioner and treated it as a bond and directed the plaintiff to get the deficiency of stamp duty and penalty cured. The revision petitioner now challenges the order, which is passed at the instance of revision petitioner. Be that as it may, learned counsel for revision petitioner tried to persuade this Court, even if an application is filed for sending documents for collection of deficit stamp duty and penalty, the recitals of suit documents ought to understand as receipt but not as bond. The contention is merely noted to be rejected, for

counsel appearing for the respondents rightly lays emphasis and words namely,

“ఈ రోజు మీ తావున అప్పుగా తీసుకున్న రొక్కం రూ 40000/- అక్షరాల నలుబది వేలు మాత్రం

యిందుకు వడ్డీ నెల 1 కి రూ 100 కి రూ 2-00 చొ॥ న ఇచ్చే నిర్ణయం

దస్తూరి :

చిత్తగించవలెను.”

Counsel for petitioner draws the attention of this Court to order dated 16.11.2017 in CRP.No.5233 of 2011 and contends that the said order covers the issue canvassed in the instant Civil Revision Petition as well.

I have perused the order and also the suit document.

Having regard to the contents excerpted, though a serious effort is made by the petitioner's counsel to follow the order in the said Civil Revision Petition, I am not convinced.

Hence, the Civil Revision Petition fails and accordingly dismissed. No order as to costs.

Miscellaneous petitions, if any, pending, shall stand closed.

S. V. BHATT, J

Dt: 07.09.2018

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